

**DENTAL QUALITY ASSURANCE COMMISSION
BUSINESS MEETING MINUTES
Thursday July 20, 2006**

Members Present:

Russell Timms, DDS, Chair
Mark Koday, DDS, Vice-Chair
Abdul Alkezweeny, PhD, Public Member
Karen Homitz, DDS
Padmaraj Angolkar, DDS
Bernie Nelson, Public Member

Jessica Saepoff, DDS
Fred Quarnstrom, DDS
Robin Reinke, DDS
Lorin Peterson, DDS
Marshall Titus, DDS
Pramod Sinha, DDS

Members Absent:

John Davis, DDS, JD
Terrance Hauck, MD, DDS

Staff Present:

Lisa Anderson, Health Services Consultant 3
Kirby Putscher, Deputy Executive Director
Josh Shipe, Health Services Consultant 3
Joyce Roper, Assistant Attorney General
Lisa Salmi, Board of Pharmacy

Joy King, Executive Director
Cheri Brooks, Health Services Consultant
Kim Dinsmore, Administrative Assistant II
Andy Mecca, Board of Pharmacy

Others Present:

David Hemion, Assistant Executive Director - WSDA
Melissa Johnson, Lobbyist, WSDHA and Willamette Dental
Bracken Kilpack, WSDA
Bryan Edgar, DDS, WSDA

Presenters:

Laurie Jenkins, Assistant Secretary, DOH
Kim O'Neal, AAG, Prosecutor
Jayme Mai, Dept. of Labor and Industries
La Vonda McCandless, Dept. of Labor and Industries

Karl Hoehn, Legal Services Manager

OPEN SESSION: 6:30 pm

1. CALL TO ORDER – Russell Timms, DDS, Chair called the meeting to order at 6:30 p.m.

- 1.1 Introduction of Audience – The audience introduced themselves.
- 1.2 Approval of Agenda – The agenda was approved w/additions.
- 1.3 Approval of the May 18, 2006 business meeting minutes – The minutes were approved with corrections.
- 1.4 Panel A & B minutes – The minutes were approved to include a review and edit of the Panel B case reviews from May 19, 2006.

2. PRESENTATIONS

- 2.1 **GUEST SPEAKER** – Ms. Jinkins presented the proposed draft of the Department of Health, Health Systems Quality Assurance's organizational review. What she presented was the very initial stages of a long-term reorganization designed to better meet business demands. The Commission was encouraged to provide any concerns or feedback to Ms. Jinkins.
- 2.2 **GUEST SPEAKER** – Karl Hoehn, Legal Service Manager, presented a draft proposal updating the disciplinary process. He requested input from the Commission, after they review the proposal.
- 2.3 **GUEST SPEAKER.** – Kim O'Neal, AAG – Informed Consent – Prosecutor's View. Ms. O'Neal gave a brief overview of informed consent from the Prosecutor perspective. Ms. O'Neal also indicated that there are not clear guidelines regarding informed consent within the dental profession and suggested that the Commission consider future rulemaking to clarify its expectations for dentists regarding informed consent.
- 2.4 **GUEST SPEAKER** – La Vonda McCandless and Jayme Mai – Ms. McCandless and Ms. Mai presented a draft of the Opioid Guidelines that are currently being worked on at the Dept. of Labor and Industries. This presentation was simply to inform the Commission of this ongoing work and to request input. They will return once the guidelines are further along.

3. PROGRAM REPORT – Joy King, Executive Director; Lisa Anderson, Health Services Consultant; Josh Shipe, Disciplinary Manager; Sandra Adix, AAG; Staff Attorney; Investigators

- 3.1 Budget Report – the May 2006 interim operating report was provided to the Commission.

- 3.2 Dental Resident, Faculty and PGY1 Licenses and Renewals – Lisa Anderson advised that credentialing staff, Nancy Smith and Erin Obenland completed the process of issuing/renewing 19 dental faculty licenses, 19 dental resident licenses and that they issued 5 dental residents’ licenses to those working at the NW Dental residency, in Yakima. Dental resident and faculty licenses are issued and/or renewed each year on July 1st.
- 3.3 2007 Legislative Proposals – The Commission was provided with the Proposed changes to the Uniform Disciplinary Act. The changes are concepts only, and have not yet been approved by DOH. Ms. King advised the commission that Brian Peyton is the Department of Health’s legislative contact. Pam Lovinger is also involved with current legislative issues and is able to locate the proper contact for miscellaneous issues.
- 3.4 Additional Agenda Item: Memorandum to the Board and Commission members from Bonnie King, Director, Health Profession Quality Assurance (HPQA), inviting participation in a “meet-me” conference call for discussions regarding Proposed Uniform Disciplinary Act Changes, July GMAP, and upcoming Leadership conferences scheduled for September 28-29. Ms. King’s memo indicated that the Department is listening and their priority is to clean up backlog cases. There is a 1200 case backlog currently in HPQA. The Department is hiring additional investigators and legal staff to ensure backlogged cases are cleared up and resolved.
- 3.5 2007 Draft Meeting Dates
The Commission was provided with proposed meeting dates for 2007. It moved to adopt all proposed dates, except November will need to be changed from November 1, 2, and 3 to November 8, 9, and 10. Due to increasing agenda demands, Lisa Anderson proposed earlier starting times. The Commission also agreed to an earlier starting time where business meetings will start at 5:30 p.m. beginning in February 2007.

Below are the adopted dates and locations;

2007 DQAC Meeting Dates

Month	Date	Location
February	8-10	Tumwater, PPE
April	12-14	TBD, Yakima?
June	7-9	Tumwater, PPE
July	26-28	Tumwater, PPE
September	13-15	TBD, Spokane?
November	8-10	TBD, SeaTac?
December	13-15	Tumwater, PPE

- 3.6 June 7, 2006 – New Prescription Legibility Requirements – 2SHB 2292 was passed by the Washington State Legislature and signed by Governor Gregoire on March 6, 2006. This legislation amends the pharmacy practiced act by requiring all prescriptions to be either hand printed, typewritten, or electronically generated. Effective June 7, 2006, all prescriptions issued using cursive writing will no longer meet the definition of a legible prescription. This law was passed as a patient safety measure.
- 3.7 Policy on Microdermabrasion – in response to an inquiry from Susan Finn, of the American Association of Oral and Maxillofacial Surgeons, Sandra Adix, AAG spoke regarding a decision made by the commission a few years ago regarding elective cosmetic surgeries such as Rhinoplasty and Blepharoplasty. It was her advice that Microdermabrasion does fall within the scope of practice for oral and maxillofacial surgery, as oral surgeons have received appropriate education and training to perform these procedures. Sandra indicated she had looked at the scope of practice of the oral maxillofacial region on-line through information from the American Society of Cosmetic Surgery. Nothing in the current dental statute addresses this microdermabrasion specifically, the last paragraph of RCW 18.32.020 states; The practice of dentistry includes the performance of any dental or oral maxillofacial surgery. “Oral and maxillofacial surgery” means the specialty of dentistry that includes the diagnosis and surgical and adjunctive treatment of diseases, injuries, and defects of the hard and soft tissues of the oral and maxillofacial region. Therefore, oral maxillofacial surgery is allowed with appropriate training if it is provided at a proper credentialed level. The answer would depend of the level of the licensed or credentialed person. This does not apply to Dental Hygienists as it is not within their scope of practice. Lisa Anderson will check with Medical Quality Assurance Commission (MQAC) to see who is doing microdermabrasion.
- 3.8 Staffing Changes – Josh Shipe advised the commission he had accepted a new position within the Department of Health as the Customer Service Center Manager. Dr. Timms asked Lisa Anderson to draft a letter thanking Josh for his excellent work with the Commission.
- 3.9 Election of Officers 2007 (Chair and Vice-Chair) – The Commission elected Dr. Mark Koday as Chair and Dr. Pramod Sinha as Vice-chair for the upcoming year. The Officers will begin their new terms at the September DQAC meeting.

4. RULES UPDATE – Chapter 246-817

- 4.1 WAC 246-817-560 – Placement of Antimicrobials, effective July 24, 2006

- 4.2 WAC 246-817-xxx – Sexual Misconduct – Lisa Anderson provided copies of the rule language recently filed on behalf of the Secretary regarding sexual misconduct. The Commission made a motion to move forward with similar rules for the Dental Commission. Ms. Anderson will proceed with the CR-102 filing process. The Governor has requested that all health care professions have sexual misconduct rules adopted by the end of the year.
- 4.3 WAC 246-817-990 – Fee Increases (2007-2009 Biennium) – All fee increases will be addressed next biennium.
- 4.4 Dental Anesthesia Committee – The Dental Anesthesia’s recommendations were finalized on June 10, 2006. Dr. Ross Beirne was elected to present the recommendations to DQAC at the September 7, 2006 meeting.
- 4.5 License without Examination Rules – Ms. Anderson provided a work-up of current rules that need amendment and asked the Commission for additional guidance to proceed further. The Commission does not want to define “in active practice” at this time. The Commission made a motion to accept the 4 primary regional testing agencies exam results – with WREB and CRDTS already accepted since Washington is a member state. SRTA and NERB results will be accepted as of January 1, 2006. In addition, the Commission made a motion to consider applications from dentists who were not required to take the National Boards when they were initially licensed in another state. The applicants will be required to submit a letter from the state saying that National Boards were not a requirement at the time of licensure. All states now require successful completion of the National Boards.
- 4.6 License Rules – Draft language was considered the Commission will consider acceptance of a dental residency program for initial licensure and acceptance of individual state boards and the CITA examinations at a future date. The education requirements for Foreign Trained dentists will remain the same.
- 4.7 PGY-1 Program – Dental Residents – the Commission is required to establish an assessment mechanism for PGY1 residents in the Northwest Dental Residency Program. Drs. Davis, Titus, Timms and Koday are assigned to work on development of this process.

5. AMERICAN DENTAL ASSOCIATION (ADA), AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE), AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA), THE DENTAL ASSISTING NATIONAL BOARD, INC (DANB), THE NATIONAL PRACTITIONER DATA BANK (NPDB)

- 5.1 DANB – Certified Press – Summer 2006
- 5.2 ADA letter dated June 6, 2006 regarding Clinical Licensing Examination Requirements

- 5.3 DANB letter dated June 7, 2006 – Career Ladder Templates for Dental Assistants
- 5.4 ADA E-gram dated June 15, 2006 – Bisphosphonate Therapy
- 5.5 DANB – Report of Major Actions of Board of Directors
- 5.6 ADA News June 19, 2006 – Anesthesia Conference proposes Changes to ADA Guidelines
- 5.7 NPDB-HIPDB Data Bank News July 2006

6. WESTERN REGIONAL EXAMINING BOARD (WREB)

- 6.1 Regional Exam Comparisons – Dr. Peterson made a motion to accept the WREB, CRDTS, NERB and SRTA for initial licensure, retroactive to January 1, 2006, Jessica Saepoff seconded. The motion passed. The Commission will consider acceptance of individual state board examinations and the CITA regional examination once more information is obtained.
- 6.2 WREB Newsletter Spring 2006

7. CENTRAL REGIONAL DENTAL TESTING SERVICE, INC (CRDTS)

Letter dated June 20, 2006 – Opportunities and Challenges. A letter was received from CRDTS explaining some of the challenges of serving as a leader in the pursuit of a national clinical examination, the launching of the new ADEX exam, and the offering of a new exam format integrated into the dental school curriculum.

8. NORTHEAST REGIONAL BOARD OF DENTAL EXAMINERS (NERB)

Letter dated June 1, 2006 regarding Consultant Members. The NERB sent a letter recruiting dentists and dental hygienists to serve as consultant members of NERB for the 2007 examination series.

9. SOUTHERN REGIONAL TESTING AGENCY, INC (SRTA)

Letter from June 20, 2006 regarding SRTA issues – SRTA sent a letter outlining some of the challenges it is having in supporting the national examination concept.

10. OTHER REPORTS

GMAP Presentation to the Governor – July 12, 2006 – The Commission was provided with a copy of the PowerPoint presentation that was given to the Governor on July 12th. Topics of the GMAP presentation included Credentialing, FTE's. Applications, Time, Customer Call Center, Call Volume, Refunds, Public Disclosure, Public Access to Information and Personnel Evaluations.

11. CORRESPONDENCE

- 11.1 Letter dated June 27, 2006 from Louisiana Board of Dentistry regarding Acceptance of Exam Scores – This letter was provided for information only and no further action is needed..
- 11.2 Letter dated June 29, 2006 from National Dental Association regarding displaced dentists. This letter was provided for information only and no further action is needed.
- 11.3 WSDA letter dated June 5, 2006 – Invite to House of Delegates meeting on September 14-16, 2006, Campbell's Resort, Chelan, WA. Dr. Mark Koday will be attending on behalf of DQAC and a report has been prepared and submitted to update the House of Delegates on DQAC activities.

12. CONSENT AGENDA

Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the agenda and placed on the regular business agenda.

- 12.1 Newsletters/Articles – the listed items were provided to the commission members by e-mail
- 12.2 Spring 2006 – News from the Idaho State Board of Dentistry
- .1 June 29, 2006 Seattle P-I article – UW says no to dental help for Native Alaskans
- 12.4 June 3, 2006 Seattle Times article – Meth users' dental bills eating up taxpayer money
- 12.5 June 2, 2006 June 2, 2006 Seattle P-I article – Drug side effect leaves doctors in quandary: Health providers at loss about what to tell patients
- 12.6 June 2006 Department of Health Sentinel
- 12.7 May 2006 We ASPIRE
- 12.8 June 2006 We ASPIRE

13. POLICIES/INTERPRETIVE STATEMENTS, OPINIONS

- 13.1 General Supervision Clarification – In response to an e-mail inquiry regarding “general supervision” the DQAC provided clarification that proper diagnosis must be made by a dentist prior to the Dental Hygienist doing any of the work. DQAC advised the inquirer to see legal advice; to read the existing delegation rules and that there is no “time element” as to when issues must occur.
- 13.2 DQAC Malpractice Policy – There was a motion to amend the current policy from \$10,000 to 20,000 and a further motion that each issue would be determined on a case by case basis.
- 13.3 Diagnosing

14. CLOSED SESSION

15. EXECUTIVE SESSION

The term “executive session” is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a-k), and only during a regular or special meeting.

16. OPEN SESSION

17. FUTURE COMMISSION BUSINESS – No future business items were discussed but there are several items that will be considered for future meetings.

- CITA – Will DQAC accept their exam results?
- Independent State exam results – will DQAC accept their results?
- WREB Presentation – Dr. Lorin Peterson
- Status of Memorandum of Understanding with UW regarding skills assessment
- Decision whether to pursue rulemaking to clarify “informed consent” for the dental profession.

18. BUSINESS MEETING ADJOURNMENT

With no further business the meeting was adjourned at 11:45 p.m. Disciplinary panels will begin at 8:00 a.m. on Friday, July 21, 2006.

Respectfully Submitted By:

Cheri Brooks, Health Service Consultant 1

Commission Approval By:

Russell Timms, DDS, Chair